

Express Mail No. EL948454521US

Date of Deposit: July 11, 2003

**PATENT APPLICATION**  
**Attorney Docket No. 24250-506**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT(S): Gary Duclos**

**ASSIGNEE: DEWKS, LLC**

July 11, 2003  
Boston, Massachusetts

MS: PATENT APPLICATION  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONTINUATION APPLICATION**  
**PURSUANT TO 37 C.F.R. 1.53(b)**

1. This is a request for filing a:

- ☒ continuation application  
☐ divisional application  
☐ continuation-in-part application

1.1 A Petition for Three-Month Extension of Time for parent application U.S. Serial No. 09/920,538 is being filed concurrently.

under 37 C.F.R. 1.53(b) of nonprovisional patent application U.S. Serial No. 09/920,538, filed on August 1, 2001, entitled: **Shoe Construction** which is a utility application claiming priority to provisional application Serial No. 60/222,172 filed August 1, 2000

2. ☒ Specification ( 7 pages); Claims (3 pages); Abstract (1 page); Cover Sheet (1 page)
3. ☒ Drawings - Five (5) Sheets (Figs. 1-12)  
☐ Formal  
☒ Informal

4. ☒ Declaration and Power of Attorney
- ☒ Copy from prior application (2 pages)
- ☐ Copy of Revocation by Assignee and new Power of Attorney from prior application (\_\_\_\_ pages)
- ☐ Newly executed (\_\_\_\_ pages)
- ☐ Unsigned (\_\_\_\_ pages)

5. ☐ Information Disclosure Statement (IDS)
- ☐ PTO-1449 (1 page)
- ☐ Copies of references cited
- ☐ Copies of Supplemental IDS and PTO 1449s (\_\_\_\_ x \_\_\_\_ pages)

6. ☒ Please amend the specification by replacing the first sentence with the following:
- This application is a continuation application under 37 C.F.R. 1.53(b) of nonprovisional patent application U.S. Serial No. **09/920,538**, filed on August 1, 2001, entitled: **Shoe Construction** which is a utility application claiming priority to provisional application Serial No. 60/222,172 filed August 1, 2000, all of which are incorporated herein by reference.

7. Fee Calculation

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. 1.16(a)
Total Claims (37 C.F.R. 1.16(c))	—	— 20 =		\$ 18.00	\$750.00
Independent Claims (37 C.F.R. 1.16(b))	—	— 3 =		\$ 84.00	
Multiple Dependent Claim(s), if any (37 C.F.R. 1.16(d))				\$280.00	
Reduction by 50% for filing by small entity:					<del>\$</del> _____
TOTAL FEE					\$ _____

- ☐ Amendment canceling extra claims is enclosed.
- ☐ Amendment deleting multiple-dependencies is enclosed.
- ☐ Fee for extra claims is not being paid at this time.

8. ☒ Applicant Claims Small Entity Status
9. ☐ A check in the amount of \$00 is enclosed.

10. ☐ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-0311, Ref. No. 24250-506
- ☐ Fees required under 37 C.F.R. §1.16.  
☐ Fees required under 37 C.F.R. §1.17.  
☐ Fees required under 37 C.F.R. §1.18.
11. ☒ Return Receipt Postcard Enclosed
12. ☐ Other Documents Enclosed
- ☐ Copy of Assignment from prior application (\_\_\_ pages)

Respectfully submitted,



Carol H. Peters  
Registration No. 45,010  
Attorneys for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
One Financial Center  
Boston, Massachusetts 02111  
Telephone 617/348-4914

Dated: July 11, 2003

TRA 1809476v1